IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 538 of 2001 & 533 of 2001

(Writ Appeal under Clause 15 of the Letters Patent against the common Order dated 15/03/2001 in WP NO :2551 OF 2000 & W.P.No.2425 of 2000 on the file of the High Court.)

W.A.No.538 of 2001

Between:

1.G.Nooka Raju s/o G.Chinna Rao,aged about 32 years

2.S.Suryanarayana s/o Appadu aged about 29 years

3.B.V.V.Chandra Sekhar s/o Narisinga Rao,aged about 27 years

4.Ch.Venu Gopal s/o Kali Das aged about 27 years

5.A.Ranga Rao s/o Perraju, aged about 30 years

6.P.Sitaram Murthy s/o Appa Rao, aged about 40 years

7.P.Lakshmana Rao s/o Malli Babu,aged about 33 years

8.G.Paidipu Naidu s/o Sanyasappadu,aged about 31 years

9.M.Paidi Raju s/o Suryanarayana aged about 29 years

10.b.Narayana Rao s/o Gopal Rao, aged about 33 years

11.P.Paidiraju s/o appata Suri ,aged about 32 years

12.M.Srinivasa Rao s/o Surya Rao, aged about 31 years

13.P.Udaya Bhaskar Rao s/o Bhaskar Raju,aged about 29 years

14.K.V.S.N.Murthy s/o Appa Rao,aged about 29 years

15.K.Shyamala Rao s/o Suryanarayana, aged about 31 years

16.K.Sanyasi Naidu s/o Ramu, aged about 31 years

17.K.A.V.Prasad Raju, s/o Appala Narasaiah,aged about 30 years

18.E.Narisimha Murthy s/o Ramana,aged about 34 years

19.B.Satyanarayana, s/o Guruvulu, aged about 38 years

20.R.Rama Rao s/o Venkata Suryanarayana, aged about 42 years

21.G.Satyanarayana s/o Krishna Rao,aged about 39 years

22.K.Naga Raju s/o Suryanarayan, aged about 33 years

23.B.Yellaiah, s/o Suri aged about 33 years

24.D.Ramana s/o Lakshmaiah,aged about 25 years

25.K.Chandra Naidu s/o sitam Naidu, aged about 27 years,

26.K.Appala Raju s/o Suryanarayana, aged about 30 years

(All are r/o Vizianagaram District)

..... APPELLANTS

AND

1. A.P.Tranco Limited rep., by its Managing Director, Vidyut Soudha, Hyderabad.
2. Superintending Engineer (Operation) A.P.Transco Limited,

Vizianagaram Circle, Vizianagaram.

3. Divisional Engineer, A.P.Transo Limited, M.R.T.Division,

Vizianagaram Circle, Vizianagaram District.

4. Divisional Engineer, (Operation), A.P Transco, Vizianagaram

Division, Vizianagaram District

.....RESPONDENTS

W.A.No.533 of 2001

1. R.Ravi Kumar s/o R.V.Mohan Rao,aged about 30 years
2. Y.Rama Krishna s/o Narayana, aged about 32 years
3. R.Madhu Babu s/o R.V.Mohan Rao,aged about 23 years

4. K.V.Satish s/o K.V.Naidu, aged about 26 years
5. B.Krishna s/o Tata aged about 25 years
6. D.Narisinga Rao s/o Demudu, aged about 26 years
7. B.Satyam s/o Tata, aged about 34 years
8. Ch.Jaganadham s/o Rama Murthy,aged about 25 years

(All are r/o vizianagaram District)

…….APPELLANTS

AND

1.A.P.Power Transmission Corporation rep., by its director, Vidyut Soudha, Hyderabad.

2.Superintending Engineer (Operation) A.P.Transco Limited,vizianagaram Circle, Vizianagaram.

3.Divisional Engineer, (Operation) A.P.Transco Limited, Vizianagaram Circle, Vizianagaram District.

……RESPONDENTS

Counsel for the Appellant in both the appeals: MR.Vedula Venkata Ramana

Counsel for the Respondent in both the appeals: Mr.S.Ravindranath, Counsel for AP Transco.

The Court made the following :

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT APPEAL NOs.538 & 533 OF 2001

JUDGMENT:(per the Hon'ble Sri Justice S.Ananda Reddy)

These two writ appeals are filed by the writ petitioners, aggrieved by the common order of the learned Single Judge dated 15-3-2001 in WP Nos. 2551 and 2425 of 2000 under which certain directions in terms of the Judgment of the Division Bench in WP No. 441 of 1999 and batch were given.

According to the appellants, the learned single Judge ought to have directed the respondent authorities to absorb the appellants without subjecting them for further interviews in terms of GOMs.No.41 dated 23-9-96 and G.O.Ms.No.287 dated 7-5-1981.

All the appellants have claimed that they were working as contract labour in Bobbili and Vizianagaram Divisions as Helpers/Watch and Ward under the control of the 2nd respondent and their services were utilized through individual contractors. Subsequently, their services were abolished as a result of the orders of the Government issued in GO Ms.No.41 in respect of 33 categories, in terms of the notification issued under Section 10 of the Contract Labour (Abolition and Regulation) Act abolishing the Contract Labour.

However, the respondent authorities have formulated a scheme for absorption and finally as per the orders of this Court, all the contract labourers were directed to be considered for absorption basing on the qualifications and other criteria laid down by the respondent organization. In fact, all these aspects were the subject matter of a batch of writ petitions and a Division Bench of this Court has considered and disposed of those matters in WP No.441 of 1999 and batch, under which certain guidelines were formulated for consideration of those whose services were abolished as a result of the above notification.

In fact, the learned Single Judge referred the above Division Bench Judgment and also extracted the guidelines and observations made by the Division Bench and directed to consider the case of the petitioners except some of the petitioners referred to in the order, in terms of the above guide lines extracted. However, not being satisfied with the said directions, the petitioners have come up with these writ appeals and are seeking direction from this Court to the respondents to absorb all the petitioners without subjecting them for any interview or requiring them to comply with any of the requirements prescribed under the Board Proceedings.

We have heard the learned counsel for the appellants and the learned standing

counsel for the respondents.

We do not find that there is any merit in the contentions as the order passed by the learned Single Judge is in conformity with the orders passed by the Division Bench in a batch of writ petitions. However, the respondent authorities are directed to consider the claims of the petitioners who have already appeared bbefore the Corporation, in response to the notification published and pass appropriate orders, if not already passed, as directed by the learned single Judge, as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of a copy of this judgment.

Accordingly, the writ appeals are disposed of. No Costs.

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(T.MEENA KUMARI,J)

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(S.ANANDA REDDY,J)

8-12-2004

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To

1. A.P.Tranco Limited rep., by its Managing Director, Vidyut

Soudha, Hyderabad.

2. Superintending Engineer (Operation) A.P.Transco Limited,

Vizianagaram Circle, Vizianagaram.

3. Divisional Engineer, A.P.Transo Limited, M.R.T.Division,

Vizianagaram Circle, Vizianagaram District.

4. Divisional Engineer, (Operation), A.P Transco, Vizianagaram

Division, Vizianagaram District

5. The Director, AP Power Transmission Corporation, Vidyutsoudha, Hyderabad.

6.Two CD copies.